

Remarks

This response is submitted in response to the Final Office Action mailed March 24, 2004, to request reconsideration of the rejection of claims 1-19 as set forth therein. In the event the Examiner determines that the foregoing amendments do not place the case in condition for allowance, it is respectfully requested that the above amendments be entered to place the claims in better form for consideration on appeal.

The Office Action and references cited therein have been carefully reviewed. The following remarks herein are considered to be responsive thereto. Claims 1-19 remain in this application. Reconsideration of this application is respectfully requested.

In the Official Action dated March 24, 2004, which has been made FINAL, the Examiner rejected independent claims 1, 11-14 and 16 under 35 U.S.C. §102 (e) as being anticipated by U.S. Patent No. 6,243,707 issued to Humpleman, et al. (Humpleman).

Further, the Examiner rejected claims 2, 4, 5-7, 9, 10, 17 and 18 under 35 U.S.C. §103 (a) as being unpatentable over Humpleman in view of U.S. Patent No. 6,505,348 issued to Knowles, et al. (Knowles). Claims 3 and 15 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Humpleman in view of U.S. Patent Application No. 20020073081 A1 issued to Kido. Claims 8 and 19 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Humpleman.

In response, Applicants have amended independent claims 16, 17 and 18. Further, Applicants respectfully submit that independent claims 1, 16, 17, 18 and 19 patentably distinguish over the cited references and are allowable and that claims 2-15 are allowable at least because they depend from an allowable base claim.

In particular, claims 16, 17 and 18 of the present invention are being amended for clarification purposes to more accurately and definitively set forth the invention. The

claims have been amended to set forth in regard to claims 16 and 17 the step of determining a reference information model for use with the content-related information. Further, claim 18 has been amended to specify that at least a portion of the content-related information being configured for consistency with corresponding portions of a previously determined reference information model.

No new matter is being entered by this amendment, as original disclosure may be found in the specification at page 2, lines 26-28, page 3, lines 1-5 and page 6, lines 1-11. It is respectfully requested that this amendment could not have been earlier made as it is being made for clarification purposes, particularly in traversal of the Examiner's Final rejection of Claims 1, 16, 17, 18 and 19 as being anticipated by Humpleman.

Respectfully, Humpleman does not teach the processing of content-related information for delivery to a processing device configured to support an electronic program guide of a first type by specifically determining a reference information model for use with the content-related information. The invention of Humpleman does not teach the determining of a reference information model for use with content-related information, thus the teachings of Humpleman are outside of the scope of the presently claimed invention.

Further, Humpleman discloses a system whereby a generic EPG is converted to a standard program format that is used to build an HTML program guide. The HTML program guide is processed by one or more home devices connected to a home network.

In contrast, claim 1 recites:

"... the portion of the content-related information so configured thereby being suitable for processing by at least the electronic program guide of the first type."

Applicants respectfully submit that such a feature is not shown or suggested in Humpleman. Independent claims 16-19 contain similar recitations and patentably distinguish over Humpleman for at least the same reasons discussed above with regard to claim 1.

With regard to the rejection of claims 1, 11-14, and 16 under 35 U.S.C. § 102(e), a method for processing content-related information and a method for use in a processing device configured to support an electronic program guide having the features discussed above, and as recited in independent claims 1 and 16, respectively, is nowhere disclosed in Humpleman. Since it has been decided that "anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,"¹ independent claims 1 and 16 are not anticipated by Humpleman. Accordingly, independent claims 1 and 16 patentably distinguish over Humpleman and are allowable. Claims 11-14 being dependent upon claim 1 are thus at least allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1, 11-14, and 16 under 35 U.S.C. § 102(e).

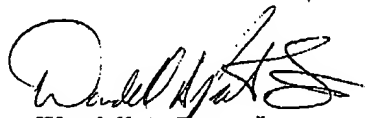
With regard to claims 2-10 and 15, since independent claim 1 patentably distinguishes over the prior art and is allowable, claims 2-10 and 15 are at least allowable therewith because they depend from an allowable base claim.

¹ Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

With regard to the rejections of claims 17-19 under 35 U.S.C. § 103(a), independent claims 17-19 are not rendered obvious by the cited references because neither the Humpleman patent, the Kido patent, nor the Knowles patent, whether taken alone or in combination, teach or suggest an apparatus for determining a reference information model for use with the content-related information or processing content-related information, an apparatus associated with a processing device configured to support an electronic program guide, and an article of manufacture for processing content-related information having the features discussed above and recited in independent claims 17-19, respectively. Accordingly, claims 17-19 patentably distinguish over the prior art and are allowable. Consequently, the Examiner is respectfully requested to withdraw the rejections of claims 17-19 under 35 U.S.C. § 103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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